

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that I verily believe that I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## OPTICAL DATA THROUGHPUT PROTECTION SWITCH

the specification of which

- ☒ is attached hereto.
- ☐ was filed on \_\_\_\_\_  
as U.S. Application Serial No. \_\_\_\_\_
- ☐ was filed on \_\_\_\_\_  
as PCT International Application No. \_\_\_\_\_

and (if applicable) was amended on \_\_\_\_\_

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information known to me which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §§1.56(a) and (b), which state:

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- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
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I hereby claim foreign priority benefits under 35 United States Code, §119 and/or §365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing of this application:

PRIOR FOREIGN APPLICATION(S)

<u>Number</u>	<u>Country</u>	<u>Filing Date</u> <i>(Day/Month/Year)</i>	<u>Date First</u> <u>Laid-open or</u> <u>Published</u>	<u>Date Patented</u> <u>or Granted</u>	<u>Priority</u> <u>Claimed?</u>
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I hereby claim the benefit under 35 United States Code, §119(e) of any United States provisional application(s) listed below:

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I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56(a) which became available between the filing date of the prior application and the national or PCT international filing date of this application:

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I hereby appoint the following patent agents with full power of substitution, association and revocation to prosecute this application and/or international application and to transact all business in the Patent and Trademark Office connected therewith:

JAMES D. KOKONIS (Reg. No. 21187)  
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ROBERT D. GOULD (Reg. No. 27523)  
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Facsimile: (703) 415-2559

1) INVENTOR'S SIGNATURE: \_\_\_\_\_ Date: \_\_\_\_\_

Inventor's Name: Simon P. Parry  
(First) (Middle) (Family Name)

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(City, Province, Country)

Post Office Address: 2 Kingston Cottages, Matching Green, Harlow, Essex, CM17 0PS, United Kingdom

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(City, Province, Country)

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3) INVENTOR'S SIGNATURE:  Date: Oct 24, 2001

Inventor's Name: Bhupendra  Patel  
(First) (Middle) (Family Name)

Country of Citizenship: CANADA

Residence: Aylmer, Quebec, Canada  
(City, Province, Country)

Post Office Address: 205 Des Mariniers, Aylmer, Quebec, Canada J9J 2N9

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(First) (Middle) (Family Name)Country of Citizenship: UNITED KINGDOMResidence: Harlow, Essex, United Kingdom  
(City, Province, Country)Post Office Address: 2 Kingston Cottages, Matching Green, Harlow, Essex, CM17 0PS, United Kingdom2) INVENTOR'S SIGNATURE: David Brown Date: December 1, 2001Inventor's Name: David W. Brown  
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3) INVENTOR'S SIGNATURE: \_\_\_\_\_ Date: \_\_\_\_\_

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